

Ruby Lake CCP Scoping Summary Report

The following list represents input from managers, planning team members, agencies, organizations, and individuals concerning issues to be considered in the future management of Ruby Lake National Wildlife Refuge. During the fall/winter of 2010, meetings were held, news releases circulated, website information posted, and informational mailings sent out to known interested parties to gather input and comments. A Notice of Intent to prepare a CCP and EA for Ruby Lake NWR was published in the Federal Register on Friday, October 29, 2010. Interested parties had an opportunity to attend a public scoping meeting in Elko, Nevada on November 3, 2010. Approximately 25 people attended the meeting. Additional meetings were held with various resource agencies, local ranchers, and landscape scale inter-agency planning cooperatives. Verbal comments were recorded on flipcharts during scoping meetings. Additional comments were received via letters, emails, and comment cards. The scoping comment period ended December 28, 2010.

The comments received are reflected in the diverse list of issues outlined below. These issues provide a basis for forming a range of alternatives to be considered in the comprehensive planning process which will guide refuge management for the next 15 years and beyond. These comments will be important in formulating the objectives and strategies for each alternative considered in the Draft Comprehensive Conservation Plan (CCP) for Ruby Lake National Wildlife Refuge.

The issues are stated as questions which closely resemble the form in which they were brought up in the scoping process. The points following each issue highlight specific comments by one or more of the respondents addressing the issue.

Planning Process

How should the planning process for the comprehensive conservation plan be conducted?

Several comments addressed the planning process and alternatives development. Several comments expressed interest in participating in the ongoing planning process. One comment stated that the visitor survey conducted during the summer of 2010 should be used in developing the CCP but with the recognition that it may not be representative of all Refuge users. One comment suggested that the Service should talk to "local ranchers and other old-timers" to get familiar with the local ecology and history of the Refuge when it was established. Another comment recommended that refuge management should be fully evaluated by the refuge biologist(s) and outside resources, if needed, including but not limited to bird habitat specialists from the University of Nevada-Reno, National Audubon Society, and Ducks Unlimited. Another comment suggested that the effects of management alternatives be communicated in terms of projected changes in priority wildlife species populations and that the CCP be fully integrated with the Nevada Wildlife Action Plan. A few other comments suggested the formation of a resource advisory panel composed of local sportsmen, refuge personnel, and permittees.

A few comments expressed skepticism about the openness and legitimacy of the planning process. Some comments requested that the public be given more advance notice for the meetings. Other comments suggested that additional meetings be held during the planning process, including in other parts of the state such as Reno and Las Vegas.

Refuge Administration

What funding and staffing levels are needed to manage the Refuge and how should they be allocated?

One comment stated that the CCP should identify the base stewardship level of funding needed to fulfill the Service's management obligations on the Refuge. Another comment suggested that the Service demonstrate transparency by publishing Refuge budgets. In addition, a few comments questioned some of the recent improvements on the Refuge (new head gates installed, remodeling of refuge office and staff housing, etc). Another comment suggested that a local refuge management council or board could be established with representatives from hunting/fishing/recreation/permittee interests. Finally, it was suggested that monitoring reports for the Refuge be published.

Wildlife and Habitat Management

What should be the focus of the Service's wildlife and habitat management programs?

Several comments stated that the Refuge should be managed primarily to protect and enhance migratory birds and other wildlife in accordance with the Refuge's statutory purposes. In contrast, one comment suggested that since fishing is one of the priority public uses identified in the National Wildlife Refuge System Improvement Act, it should be given more consideration when it comes to water management. The comment went on to state that impacts to the fishery should be considered when making any management decision.

How should Refuge vegetation be managed to achieve wildlife objectives?

Several comments addressed different aspects of vegetation management on the Refuge, including grazing, haying, prescribed fire, and the use of herbicides. Most of the comments were related to grazing. A few comments expressed concern about the use of grazing as a management tool. One suggested that grazing should only be permitted if the benefits to marsh vegetation management outweigh the costs. Another stated that while limited grazing may be a useful tool for managing vegetation for the benefit of waterfowl, the CCP should evaluate potential negative impacts of grazing on the relict dace and sage grouse, as well as on the productivity of soils and riparian areas.

Several comments were supportive of grazing on the Refuge. Many of these comments cited potential benefits of grazing including: improved habitat conditions through control of dense vegetative growth, increase in insects which are food for birds, improvements in biodiversity, and increase in bird populations. Several of the comments also suggest that grazing should be increased on the Refuge. It was also suggested that the timing and

location of grazing on the Refuge be reevaluated. Several comments stated that grazing should be used to manage vegetation instead of prescribed fire. Another suggested that a management intensive grazing program be implemented similar to a successful program on the Deseret Ranch in Utah. Finally, a comment suggested that forage has declined on the Refuge because grazing lands are no longer irrigated.

We received a few comments related to haying on the Refuge. One suggested that the area hayed should be increased. Another comment suggested that the hay permit should be put out for bid in March or April. Two comments asked that permittees be allowed to irrigate the area before haying.

There were also several comments related to fire management on the Refuge. A few comments requested that the CCP address the use of prescribed fire to restore marsh habitat and remove and stimulate decadent stands of cattails. One comment stated that prescribed fire should be used during spring followed by grazing as is the practice in the Flint Hills of Kansas. Another comment requested that burning of upland areas be coordinated with NDOW to minimize Greater sage-grouse habitat concerns. Several comments expressed opposition to the use of prescribed fire on the Refuge. Specific concerns cited include: adverse impacts on air quality; health effects of smoke; promotion of invasive plants; potential for escaped (uncontrolled) fire; and resulting exposure of topsoil to wind erosion.

A few comments opposed the use of herbicides to manage large areas of emergent vegetation, citing adverse impacts on fish and overspray/rhizome transfer to non-target areas. One comment further recommended that smaller areas be treated over multiple years to create a mosaic of vegetation in various succession stages. Another comment suggested that aquatic vegetation treatments should be performed at a larger scale, over a long period of time.

A few comments requested that the CCP describe the extent of invasive species on the Refuge and how the Service will address them. Ditches were mentioned as a specific problem area for invasive plants on the Refuge. It was also suggested that goats be used to control invasive plants on the Refuge.

Other comments were focused on providing food for waterfowl. One comment requested that the CCP identify those portions of the marsh which have the highest potential for bird and wildlife food production and to set them aside for that purpose. Another comment suggested that the Service plant grain on some parts of the Refuge to attract more geese. In addition, one comment requested that the Service consider active production of forage species such as sago pond weed and nutgrass to facilitate waterfowl production and benefit a variety of other birds and wildlife.

How should Refuge water be managed to achieve wildlife objectives?

We received more comments on water management than any other topic. One comment recommended that the Service conduct a basic water resources assessment for the Refuge which would include: an inventory of Refuge water rights and their quantity and quality, the types and uses of the rights, and determination of whether those rights are sufficient

to meet the purposes of the Refuge; a description of threats to water quantity and quality; a description of existing water management practices and off-Refuge practices that impact Refuge resources. Another comments stated that because of the Refuge's water supply, it tends to be one of the most stable wetlands in the State, making it even more important during times of severe drought.

Many comments expressed opposition to past water management practices. Several comments were opposed to moving water to the north part of the marsh (North of the Brown Dike) rather than the South Sump. Specific concerns cited included the perceived impacts on diving ducks, fishing, and increased vulnerability of game fish populations in winter. One comment stated that, in many cases, the Refuge water levels have been maintained to perpetuate the refuge's fishery at the expense of water management aimed at maximizing migratory bird use and production. It went on to state that deeper water levels maintained for fish, are not always conducive to providing the best nesting habitat for birds.

We also received several comments requesting that water management practices on the Refuge be changed in some way. One comment recommend that the sport fishery be maintained and enhanced by giving the South Lake priority in delivery of water in years of below average precipitation, with the North Dike Units (10,13,14,20, and 21) having secondary priority. A few comments requested that the Service manage the waters within the Refuge to better provide ideal waterfowl habitat conditions for both diver and dabbler species during waterfowl nesting seasons and during annual migration periods. Other comments suggested that water management account for drought conditions and that the Service should manage water elevations ideal for waterfowl nesting and feeding across most of the Refuge rather than just some units, thereby increasing the total surface area of wetlands. Another comment suggested lower minimum water levels be established, citing the same benefits. One comment suggested that the Service should periodically expose the bottom soils to the air by draining the units on a fairly regular basis. Another comment requested that a larger portion of the annual Finger Springs outflow be directed to the North Sump where it flowed historically prior to the construction of the Collection Ditch. The comment further stated that such management would improve nesting habitat for western snowy plover, American avocet, black-necked stilt, long-billed curlew and Wilson's phalarope, as well as migratory stopover habitat for the lesser yellowlegs, greater yellowlegs, long-billed dowitcher, western sandpiper, least sandpiper, semipalmated plover and black-bellied plover. Finally, one comment suggested that improvements to water quality and water control structures would improve marsh habitat and hunting opportunities.

How should the Service manage other Refuge wildlife and habitat resources?

We received a variety of comments on other wildlife and habitat management topics not addressed above. One comment suggested that the CCP be flexible and address adaptive management. A few comments requested that the Service address management of sage grouse nesting, brooding, and summer habitat on the Refuge. Another comment suggested that Refuge mudflats be improved to increase shorebird diversity. One comment stated that the CCP should address management for the relict dace. Another requested that the Service coordinate and cooperate with NDOW in the construction and enhancement of relict dace habitat within the boundaries of the Refuge. Other specific

wildlife and habitat management comments included: ensuring fencing on the Refuge should be built to wildlife specifications (three strand fences with a smooth bottom wire at 18 inches off the ground); maintaining adequate boundary fences to prevent any incursion by feral animals and establishing emergency removal procedures; dredging the collection ditch; introducing an alternative food source for fish (e.g. crawfish, minnows); and removing undesirable fish species through poisoning.

A few comments addressed predator management on the Refuge. One comment suggested that the CCP should address predator control for protection of threatened and endangered species and migratory birds. Another suggested that the Service control coyotes by lethal means to prevent them from preying on species such as sandhill cranes. In addition, one comment suggested that both coyote and crow populations on the Refuge should be reduced.

Threats / Resource Protection

How will the Service address the threat posed by climate change and its effects in the CCP? How will climate change effects on the Refuge and its resources be monitored? How will the Service address other potential threats to Refuge resources including groundwater pumping, rights-of-way, and human disturbance to wildlife?

We received several comments about threats to Refuge resources and how they should be addressed in the CCP. A number of these comments related to climate change, and suggestions included: addressing climate change in several different CCP sections, including the vision statement, legal and policy guidance, planning issues, geographic/ecosystem setting, and refuge resources sections; including a plan to inventory and monitor climate change-related variables and trends in coordination with other agencies in the region; and initiating a process to define and minimize any foreseeable and manageable stressors impacting wildlife, their health, and their habitats.

We also received a few comments regarding the potential threats to Refuge ground and surface water resources. Specific threats identified include proposed interbasin water transfers as well as industrial (mining) groundwater pumping/piping projects in Ruby Valley. It was suggested that the Service actively participate in state water hearings in order to protect the marshes water supplies.

Other threats mentioned in the comments include potential rights-of-way for energy developments, pipelines, roads. It was stated that these facilities negatively impact wildlife habitats and wildlife, spread weeds, facilitate aerial predation, and fragment habitat areas and cannot be mitigated.

Another threat brought up in the comments was human disturbance impacts on wildlife. One comment stated that the impacts of recreational uses on wildlife must be compatible with the Refuge mission. Another recommended that human activity that would interrupt bird breeding should be managed by the Refuge. One comment requested that the Service preserve the Refuge natural resources and protect them against human encroachment and any development.

Should any part of the Refuge be recommended for wilderness designation?

One comment asked the Service recommend the North Sump and contiguous unaltered wildlife habitat for inclusion into the National Wilderness Preservation System and suggested the area be named the Snowy Plover Wilderness.

Visitor Services

What visitor services opportunities should be allowed on the Refuge and how should they be managed?

We received several comments related to visitor services opportunities on the Refuge. Some comments stated that visitor opportunities have declined from historic levels and that some management practices and regulations have discouraged visitor use. One comment suggested that restrictions on visitor opportunities to protect wildlife should be based on strong evidence of harm. Several comments suggested that visitor opportunities should be expanded. Specific suggestions for expanding opportunities include: increasing season dates; opening more areas to public use; adjusting open areas in response to habitat conditions and management activities; and allowing new uses. Another comment requested that the CCP address opportunities for environmental education, interpretation, and volunteer projects on the Refuge. In addition, one comment requested that the Service incorporate climate change information in environmental education programs. Several comments also suggested that expanding visitor opportunities would increase public support for the Refuge.

One comment stated that only street legal vehicles should be permitted on the Refuge and law enforcement staffing should be adequate to enforce this prohibition. Another comment requested that the compatibility of existing uses with the primary wildlife mission of the Ruby Lake NWR should be evaluated and incompatible uses not permitted. One comments stated that people need to be able to enjoy their natural resources in a non-destructive manner.

How should fishing and the Refuge sport fishery be managed?

Several comments expressed support for fishing on the Refuge and/or suggested changes in how it is managed. Some comments addressed the perceived decline in fishing opportunities on the Refuge. Several comments asked that fishing opportunities be expanded or generally improved. One comment suggested that the studies aimed at improving uses such as fishing be conducted. Another suggested that the Service address the large populations of cormorants and pelicans which are consuming bass.

There were a number of specific suggestions for improving fishing opportunities on the Refuge. One comment suggested that the current slot limit for bass be changed to allow anglers to keep the smaller fish and allow larger fish to breed and grow. Another comment complemented the Service for expanding the float tube area and suggested that it be further expanded. One comment suggested that the Service coordinate and cooperate with NDOW to improve fish habitat in the Collection Ditch through dredging of prioritized areas and improving angler access. Another asked that stocking of game fish

species be addressed in the CCP. Finally, one comments suggested that half the Refuge be managed for sport fishing opportunities and the other half be managed for birds.

Several comments expressed concerns about the impacts of managing a non-native fishery and the associated use by anglers. One comment addressed the potential for the spread of invasive zebra and quagga mussels associated with fishing. Another comment brought up the potential conflict between managing water for both birds and fish under drought conditions and suggested that there are a number of other places in northeastern Nevada where people can fish including South Fork Reservoir, Wilson Reservoir, and Wildhorse Reservoir. Another comment stated that public use of the marsh beyond the road and dike system should be a lower priority. In addition, one comment expressed concern about the potential impacts of stocking non-native sport fish such as largemouth bass and various trout on the native relict dace. This comment urged that deference be made for the welfare of the dace over the use for recreational fishing.

Another comment suggested that NDOW be allowed to increase fish production at Gallagher Hatchery in a stepwise manner over a period of four years from the current 100,000 pounds per year to 130,000 pounds per year. It was further suggested that water discharge from the hatchery be monitored per NDEP requirements, and fish production reduced immediately if discharges approach or exceed water quality standards.

What types of hunting should be allowed on the Refuge and how should the hunts be managed?

Several comments expressed support for waterfowl hunting on Ruby Lake Refuge. However, many comments also stated that hunt conditions and hunter success have declined from historic conditions. Comments also stated that existing Refuge hunt regulations are not justified and discourage hunters from visiting Ruby Lake Refuge. One example cited include the configuration, size, and habitat conditions of the open area which results in most birds leaving the area after the first shots in the morning. Another example given was the relatively complex variety of open seasons for different species which tends to discourage inexperienced hunters.

A number of comments suggested changes to improve and/or increase waterfowl hunt opportunities on Ruby Lake Refuge. Several comments requested changes to the open/closed areas. These ranged from opening the entire Refuge to hunting, to opening all but the East and/or West Marsh, to rotating the hunt zones from year to year. In addition, one comment suggested that a voluntary hunter harvest report be implemented to allow the Refuge to quantify the success of hunters in general and the relative impacts to specific species. Another comment stated that wildlife harvest programs be governed by scientifically based wildlife management protocols. Finally, one comment suggested that waterfowl be managed on a maximum sustained yield basis.

Several comments suggested changes in the types of hunting allowed on the Refuge. A few comments requested that the Refuge be reopened to muskrat trapping as it was in the past. Another comment stated that the Refuge should allow trapping of other species including coyote, both recreationally and as a management tool to reduce predation on wildlife such as sandhill cranes. In addition, several comments suggested that all or

portions of the Refuge should be opened to pronghorn antelope and elk hunting. One comment suggested that fur-bearer and upland game be managed on a maximum sustained yield basis in coordination with NDOW. Another comment suggested that habitat for upland birds and large and small game should be improved on the Refuge and hunting of these species should be allowed. One comment stated that the Service should establish harvest programs for fur-bearers for population monitoring and management, disease control, and research. In addition, one comment requested that the Service not open the Refuge to big game hunting given the availability of other opportunities in the county and the State.

What kinds of boats should be allowed on the Refuge and what rules should govern their operation?

One comment suggested that non-motorized boats only be allowed on the marsh to minimize the potential introduction of invasive mussels. Another comment requested that the use of motors should be limited to avoid harming the marsh habitat and resident/migratory wildlife. One comment suggested that existing boating restrictions remain in place. Several comments requested changes in the current 10 hp restriction for boat motors. Some comments asked that the boat motor hp limit be raised to 15 hp to allow the newer style 2 cycle "mudmotors." A few comments suggested that the hp limits be raised to 25-30 hp or altogether to allow larger recreational boats such as ski boats. One comment suggested that outhouses be installed in the south marsh to avoid boaters having to return to one of the boat landings.

Cultural Resources

How should cultural resources on the Refuge be protected, managed, and interpreted?

One comment requested that rock art preservation (petroglyphs) be addressed in the CCP. Another comment suggested that the Fish and Wildlife Service pursue funding from the National Park Service for managing the Refuge's significant cultural resources (Pony Express Trail, California Trail, Hasting's Cut-Off, and Ft. Ruby). In addition, one comment requested that the Service interpret the Refuge's cultural and paleontological resources and suggested that interpretive panels be provided at Bressman Cabin and Ft. Ruby.